

1897-003 Chancery Causes: Petition of John R. Gibson, exr. to  
Lee Co.

Anderson, Fulkerson, Baylor, Carr

CA - Estate Dispute  
T - Property



To the Hon. W. J. Miller  
Judge of the Circuit Court  
of Lee County Va.

Your Petitioners John R. Gibson  
and Isaac D. Anderson, executors  
of the last will and Testament of  
the late A. H. Fulkerson deceased.  
Who humbly complaining  
would respectfully represent  
that by the will of their testator  
it will be seen that it provides  
for the sale of the upper end of  
the home place, a valuable tract  
of land situated in this County  
with a view to provide the nec-  
essary means for the payment  
of debts. The undisputed debts  
of said estate amount to some-  
where from \$8000. to \$10,000. and there  
was very little personal estate out-  
side of a debt due from the  
L. & N. Rail road Company of  
the sum of \$837. 34. Which has  
been collected by them and nearly  
all paid out on debts due from  
them and from their testator. Where  
they have paid on their testator's  
debts, they have taken refunding  
receipts to meet any contingency  
that may arise; but some of  
the largest Creditors refuse to ac-  
cept the payment of their debts  
this way, and your petitioners



are at a loss how further to proceed. The land was sold by these petitioners on a credit of one two and three years for the sum of \$ . The sale was made on the 20<sup>th</sup> day of April 1896 and so on the 20<sup>th</sup> day of April 1897 one third \$4433<sup>33</sup>, will fall due and the purchaser is ready and doubtless will pay the money.

Now your petitioners have this difficulty, they have been sued by Jennie Baylor and Kate Carr, two of the children of their testator and for whom he was at one time their guardian, these plffs allege and seek to recover a large sum from the estate of the testator and they are unable, ascertain what if anything may be found due them, so the Creditors refusing to give refunding bonds, and these are not ascertained, these respondents are in doubt as to their duty.

They might possibly have the money, but times are so hard they fear to do so, lest some delay if not loss might occur. They also sold an other small tract, for \$700. one third of which will fall due on the same day. They therefore pray that Hon Court may, instruct



and direct these petitioners  
what to do with the money now  
on hand and to come into their  
hands before the next term  
of this Court. They will add  
that the suit of Baylor & Carr  
is now pending in this Hon Court  
before a Comr. and has been  
continued at this term, to  
await said Comr's report.

If in any wise mistaken  
as to the relief they may be en-  
titled to, they pray for such  
relief as may be equitable  
or they may be entitled to. And  
as in duty bound they will  
ever pray. &c. &c.

J. R. Gibson

J. S. Anderson

executors &c

By

Preliminary Sewell

Attorneys



Gibson & Anderson

Exported

On Petition



Gibson & Andersen Exors &c.

Experts  
on Petition

This petition came on this day to be heard upon the petition of the pffrs as executors of A. H. Hulterson deceased, and was argued by Crenshaw.

And it appearing from said Petition that there will come into the executor's hands of said by the purchaser (Cred. Smith on April 20<sup>th</sup> 1897, the sum of \$4433.00, due them for sales of land, and it not now being, proper for them to pay out the same, and they desiring by their petition directions how to use the same - The Court is of opinion and orders & decrees that said Executors deposit the same until the future order of this Court, in their names as executors, in the Farmers Valley Bank at Jonesville Lee County, Va, and that they take a certificate of deposit thereon



Gibson & Anderson  
Exors

Exporters

On Petition

March 7, 1897

Eu. C. O. B. p. 349.

Enter this  
March 6, 1897.  
N. J. M.

and for the purpose of further  
deviating them are related to  
these matters, their position is  
related to be placed upon the  
local clock of the circuit  
continued.